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CC: 96-45

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June 30, 2003

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Marlene H. Dortch, Secretary Federal Communications Commission 445 Twelfth Street, SW Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re:

Valor Rural Self-Certification - Change of Status of Oklahoma Certification

Dear Ms. Dortch:

I am writing this letter on behalf of Valor Telecommunications of Texas, LP (Valor), which has operated as a local exchange carrier in Texas and a small portion of Arkansas. On June 30, 2003 Valor completed a merger among Valor, Valor Telecommunications of Oklahoma, LLC (Valor-Oklahoma) and Valor Telecommunications of New Mexico, LLC (Valor-New Mexico). The effect of the merger was to combine the three separate LEC entities of Valor Telecommunications Enterprises, LLC into one LEC operating entity. All required regulatory approvals have been obtained and the Certificates of Convenience and Necessity and the designations as an eligible telecommunications carrier have been transferred from Valor-Oklahoma and Valor-New Mexico to Valor.

As a result of the merger, Valor self-certifies that it meets the criterion set forth in Section 3(37)(D) of the Communications Act of 1934, as amended (47 U.S.C § 153(37)(D)), for designation as a "rural telephone company" for all its study areas in Texas (which includes a small portion of Arkansas), Oklahoma and New Mexico. Previously, Valor and Valor-New Mexico met the rural telephone company criterion; however, as a result of the above-described merger, Valor now meets the criterion for certification of the Oklahoma study area as rural. Accordingly, Valor files this self-certification change of status to include the Oklahoma study area as rural.

Section 3(37)(D) states that a rural telephone company means a local exchange carrier operating entity that "has less than 15 percent of its access lines in communities of more than 50,000 on the date of enactment of the Telecommunications Act of 1996". As the below listed data indicates, Valor qualifies under this criterion as a rural telephone company for all its study areas in Texas, Oklahoma and New Mexico.

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A carrier filing for rural certification under criterion (D) must provide certain information to support its self-certification. Below, Valor provides the required information to document its status as a rural company:

(1) a list of communities of more than 50,000 to which it provides service:

The only community in Valor's service territory that had a population of more than 50,000 on February 8, 1996 is Broken Arrow, Oklahoma. This remains the only community in Valor's service territory that has a current population of greater than 50,000 people.

(2) the population of those communities:

Broken Arrow's population was 69,269 on July 1, 1996 according to U.S. Census Bureau data.

(3) the number of access lines serving those communities:

Valor served 66,279 access lines in Broken Arrow as of May 2003.

(4) the total number of access lines the carrier serves:

Valor served 538,448 access lines as of May 2003.

Therefore, as documented by the above information, 12.31 percent (66,279/538,448) of Valor's access lines are in communities that had a population of more than 50,000 on February 8, 1996, which is below the 15 percent criterion established for rural telephone company status. Also, it is worth noting, that the two New Mexico study areas (491164 and 491193) also qualify as rural under Section 3(37)(C) because both these study areas have fewer than 100,000 access lines.

From the information provided, and under Section 3(37)(D), Valor meets the statutory definition of a rural telephone company in Texas, Oklahoma and New Mexico and should be included in any federal support mechanisms for rural carriers. Please contact Leonard Beurer, Vice President, Industry Relations and Revenues, at the address and number on the letterhead for further assistance.

Sincerely,

Derry M. Allen

Jerry M. Allen

Senior Vice President, Revenues and Billing

¹ Federal-State Joint Board on Universal Service, CC Docket No. 96-45, Tenth Report and Order, 14 FCC Rcd 20357-58.